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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/630,853	07/31/2003	Han-Jong Kim	2557-000168/US	1965
30593 7590 02/05/2008 HARNESS, DICKEY & PIERCE, P.L.C. P.O. BOX 8910 RESTON, VA 20195			EXAMINER LEE, THOMAS C	
			ART UNIT 2115	PAPER NUMBER
			MAIL DATE 02/05/2008	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/630,853

Applicant(s)

KIM, HAN-JONG

Examiner

Thomas Lee

Art Unit

2115

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 October 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

Claims 1 – 20 are presented for examination.

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims 1-5 and 7-20 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

The rejection as set forth in the last office action is respectively maintained and incorporated by reference.

In the response filed on 10/30/2007, applicant states that applicant is free to be his or her own lexicographer to define a term in manner contrary to or inconsistent with one or more of their ordinary meanings if the written description clearly redefines the terms. Applicant states that the term "processor" should not be interpreted as the "traditional" processor. Applicant notes that the processor 200 in example embodiments may be more properly characterized as a "processor system" or "processor block", and that the inclusion of only the terms "the processor 200" may be a translation problem encountered in translating the priority document from Korean to English".

The examiner agrees that applicant can act as his or her own lexicographer "by clearly setting forth a definition of the term that is different from its ordinary and customary meaning(s)", MPEP 2111.01 IV. However, the examiner submits that the

term "processor" is not clearly defined in the specification indicating that it should be interpreted as a "processor system". Furthermore, there are contradictions in the specification about the proper definition of the term "processor".

[0025]The processor 200 may be used with, hand-held devices such as a mobile telephone and a personal digital assistant (PDA). However, the processor 200 may be used in other devices, as desired. For example, another such device may be a laptop computer, a tablet computer, or any suitable electronic device evaluation device.

[0036]The processor core 260 may be a central processing unit (CPU) used in mobile telephones, PDAs, and computer systems generally, and the peripheral device 270 may include a wireless LAN card, a PC or PCMCIA card, and a liquid crystal display (LCD).

[0025] and [0036] appear to define the claimed processor as the "traditional processor" and the "processor system" respectively. As such, the term "processor" is not clearly defined in the specification. Therefore, the outstanding rejection is respectively maintained.

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1 – 20 are rejected under 35 U.S.C. 102(e) as being anticipated by Amos, US Patent No. 6,934,870.

Amos teaches the claimed invention, comprising:

a selecting circuit [102] for determining at least one of operation states and operating frequencies of a high-speed control circuit and a low-speed and low-power control for outputting a selection signal based on the determination;

the high-speed control circuit [108] for controlling high-speed operations of the processor core and the peripheral device;

the low-speed and low-power control circuit [110] for controlling low-speed and low- power operations of the processor core and the peripheral device; and

a multiplexer [106] for, in response to the selection signal [107], interfacing one of the high-speed control circuit [108] with the processor core and the peripheral device and the low-speed and low- power control circuit [110] with the processor core and the peripheral device [see fig. 1].

Avos teaches that selecting circuit [102] for determining the operating state of the high frequency oscillator 108 and changing the clock mux 106 selection signal 107 after the high frequency oscillator 108 "is fully operational" [col. 4, lines 57 - 63]. Specifically, the high frequency oscillator 108 was powered off during the sleep mode. It takes some time (typically 20 ms) for the high frequency oscillator 108 to become fully operational after it is powered on by MAC 102. MAC 102 only changes the clock select signal 107 after the high frequency oscillator 108 is fully operational [col. 5, lines 1-3].

In summary, there is a lag time between powering up an oscillator and the oscillator is fully operational. In a system having a plurality of oscillators wherein each oscillator corresponds to different power mode. The oscillator may be powered off when its associated power mode is not selected. The clock signal selector is required to

determine the operating state of an oscillator and select its clock signal when the oscillator is fully operational after it is powered on based upon the system's power mode. Inherently, there are different ways to determine whether the oscillator has achieved its fully operational state [col. 5, lines 45 – 54, col. 6, lines 8 – 11].

Applicant's arguments with respect to claims 1 - 20 have been considered but are moot in view of the new ground(s) of rejection.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).


A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas Lee whose telephone number is (571)272-3667. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Thomas Lee

Primary Examiner